

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	2:23-cv-02684-MEMF-JDE	Date	August 2, 2023
Title	Vicky Baily v. Kilolo Kijakazi, Acting Commissioner of Social Security		

Present: The Honorable John D. Early, United States Magistrate Judge

Maria Barr

n/a

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

n/a

n/a

Proceedings: (In Chambers) Order to Show Cause

On April 6, 2023, Plaintiff Vicky Bailey (“Plaintiff”), proceeding without counsel and in forma pauperis, filed a Complaint against the Commissioner of Social Security (“the Commissioner”) seeking a review of a decision denying benefits by the Commissioner. Dkt. 1. On April 12, 2023, the Court ordered the parties to comply with the Supplemental Rules for Social Security Actions Under 42 U.S.C. § 405(g), effective December 1, 2022 (“Supp. Rules”), as well as the Local Civil Rules of this district and the Federal Rules of Civil Procedure in presenting this matter for decision by the Court. Dkt. 4 (“Order”). Per Rule 6 of the Supp. Rules, “The plaintiff must file and serve on the Commissioner a brief for the requested relief within 30 days after the answer is filed or 30 days after entry of an order disposing of the last remaining motion filed under Rule 4(c), whichever is later.” The Commissioner filed her answer on June 12, 2023 and did not file a motion for filed under Rule 4(c). Dkt. 7. As a result, Plaintiff’s Brief under Rule 6 of the Supp. Rules, including “citations to particular parts of the record” to support any assertion of fact (see Supp. Rule 5), was due to be filed and served by July 12, 2023. As of the date of this Order, Plaintiff has not filed Plaintiff’s Brief in support of her claim for relief.

As a result, Plaintiff is hereby ordered to show cause, in writing, within 14 days from the date of the order, why this action should not be dismissed for failure to prosecute and failure to comply with Court orders pursuant to Federal Rule of Civil Procedure 41(b). Plaintiff can comply with this order to show cause by filing a compliant Brief under Rule 6 of the Supp. Rules. within 14 days of this order. Plaintiff is advised that if Plaintiff fails to file a timely response to this Order, the action may be dismissal for lack of prosecution and for failure to comply with Court orders.

IT IS SO ORDERED.